

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6 are currently pending. Claims 1 and 6 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1, 2, and 4-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,249,495 to Okada et al. (hereinafter “the ‘495 patent”) in view of “the admitted prior art” (hereinafter “the Discussion of the Background”).

Claim 1 is directed to an optical disk device for recording a signal to and/or replaying a signal from a optical disk, the optical disc device comprising: (1) a head, including an actuator that supports and moves and objective lens at least in a direction of tracking, for writing the signal onto the optical disk and/or reading the signal from the optical disk by directing the laser beam to the optical disk through the objective lens; (2) a slider for transporting the head in the direction of tracking; (3) an acceleration sensor for detecting and outputting a static acceleration acting on the objective lens in response to a change in posture of the optical disk device; and (4) a slider controller for driving the slider so that the objective lens is aligned with the center of an optical field of view of the head, based on a detection signal from the acceleration sensor and a low-frequency component of a tracking server signal for causing the objective lens to track. Claim 1 has been amended for the purpose of clarification only and no new matter has been added.

Regarding the rejection of Claim 1, the ‘495 patent is directed to a disk drive apparatus including a disk having helically formed or concentric circle-like formed tracks; a spindle motor for controlling a rotation speed of the disk; a pickup for recording or playing

back information on or from the disk; server means for making the lens of the pickup follow the tracks of the disk; a stepping motor for moving the pickup in a radial direction of the disk; a system controller for outputting command signals according to the rotation speed of the spindle motor; and a stepping motor control means for controlling the stepping motor for changing an inclination of a rising part and a falling part of a waveform of a drive current of the stepping motor according to command signals received to change a moving speed of the pickup. As shown for example in Figure 15, the '495 patent discloses an apparatus including the pickup 303, tracking speed detecting means 318, lens vibration detecting means 319 and stepping motor driving means 308.

However, Applicants respectfully submit that the '495 patent fails to disclose an optical disk device including an acceleration sensor for detecting and outputting a static acceleration acting on the objective lens in response to a change in posture of the optical disk device, as recited in Claim 1. In this regard, Applicants refer the Examiner, in a non-limiting example, to the acceleration sensor 10 shown in Figure 1 and the output of the acceleration sensor shown in Figure 4B. Applicants respectfully submit that the '495 patent is silent regarding the acceleration sensor recited in Claim 1. In particular, the '495 patent is silent regarding the detecting and outputting of a static acceleration in response to a change in posture of an optical disk device, as recited in Claim 1. Further, Applicants note that page 2 of the outstanding Office Action does not specifically identify which element disclosed by the '495 patent reads on the claimed acceleration sensor, other than to refer to elements 318 and 319 shown in Figure 15. However, the tracking speed detecting means 318 detects the moving speed of the lens 304 but does not detect static acceleration *acting on* the objective lens in response to a change of posture of the optical disk device, as required by Claim 1. Moreover, as disclosed in column 35 of the '495 patent, the vibration value detected by the lens vibration detecting means 319 can be taken as a relative speed of the lens 304 with

respect to the pickup 303. Thus, the '495 does not disclose detecting acceleration acting on an objective lens, but merely disclosed the detection of the speed of the lens or the relative speed of the lens with respect to the pickup 303.

Applicants respectfully submit that the Discussion of the Background section of the present application does not cure the deficiencies of the '495 patent, as discussed above. The Background section does not disclose the acceleration sensor recited in Claim 1.

Thus, no matter how the Discussion of the Background section and the teachings of the '495 patent are combined, the combination does not teach or suggest an acceleration sensor for detecting and outputting a static acceleration acting on an objective lens in response to a change in posture of the optical disk device, as recited in Claim 1. Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and that the rejection of Claim 1 (and dependent Claims 2, 4, and 5) should be withdrawn.

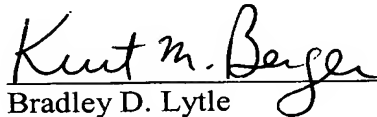
Independent Claim 6 recites limitations analogous to the limitations recited in Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and the rejection of Claim 6 should be withdrawn.

Thus, it is respectfully submitted that independent Claims 1 and 6 (and all associated dependent claims) patentably define over any proper combination of the '495 patent and the Discussion of the Background.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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